



CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF CHILDREN'S SERVICES



Matthew G. Bevin
Governor

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Adam Meier
Secretary

August 9, 2019

Bruce Maples
Forward Kentucky
Email: 78249-75463897@requests.muckrock.com

Dear Mr. Maples:

This letter is in response to your open records on August 2, 2019. You requested:

1. The current status of the appeal by ResCare/Brightspring, CAKY Somerset of the termination of the CAKY Somerset Medicaid Certification, including all communication between CHFS and ResCare/Brightspring, and between CHFS and CAKY Somerset.
2. A schedule of planned and/or scheduled future activity in this matter, including hearings, depositions, and disposition of the appeal.

In response to your request, the Cabinet cannot reasonably ascertain what records you seek without more definite parameters. The Cabinet employs thousands of employees, and has done so for many years. It would require an inordinate amount of time to search every single individual employee's electronic accounts and hard copy folders for "any and all" correspondence regarding the entities you reference. The Kentucky Open Records Act does not require an agency to conduct a search for "any and all" requests. This request lacks the particularity required of an open records request. The Open Records Act requires that requests have "reasonable specificity" as to what is being requested. *See, e.g.,* 17 -ORD-197. Your generic request for "any and all" correspondence does not satisfy this reasonable-specificity standard. Additionally, this is a request for information. The Kentucky Open Records Act requires the Cabinet to provide responses to requests for records, not information. The Cabinet is under no obligation to provide you with answers to your questions regarding the current status or schedule of future events.

If you have any questions, please contact David Lovely at (502) 564-7905 ext. 3444, davidt.lovely@ky.gov. You may also contact my assistant Evelyn Miller at (502) 564-7905, ext. 3441, or evelynl.miller@ky.gov. Should you disagree with this decision, you may seek review by the Attorney General in accordance with KRS 61.880. Thank you.

Sincerely,

/s/ David T. Lovely

David T. Lovely

